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EXAMINER

SHAN, APRIL YING

ART UNIT

PAPER NUMBER

2435

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/718,474	Applicant(s) FARLEY ET AL.	
	Examiner APRIL Y. SHAN	Art Unit 2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-18 and 21- 24 is/are pending in the application.
- 4a) Of the above claim(s) 14, 15, 18 and 21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 -13, 16-17 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Applicant's amendment, filed 29 August 2008, has been received, entered into the record, and respectfully and carefully considered.
2. As a result of the amendment, claim 1 has been amended. Claims 9 and 19-20 have been canceled. Claims 14-15, 18 and 21 have been withdrawn due to restriction. No new claims have been added. Claims are 1-8, 10-18 and 21- 24 are currently pending in the present application. Claims 1-8, 10 -13, 16-17 and 22-24 have been examined.
3. Any objection/rejection not repeated below is withdrawn due to Applicant's amendment/argument.

Priority

4. Applicant claimed that the current application claims priority to U.S. Provisional Application No. 60/428,091 entitled "Terminal Data Loader" filed Nov. 21, 2002.

Examiner had reviewed carefully the U.S. Provisional Application (60/428,091). The U.S. Provisional application (60/428,091) only broadly discloses a terminal data loader. However, the examiner discovered at least three claim limitations, "a predetermined portion of the media data being **encrypted**", "**a security processor unit receiving an encrypted media signal from the media unit and outputting an unencrypted media signal based on one or more predetermined cryptographic keys utilizing a predetermined cryptographic algorithm**" and "**a physical key unit for receiving a physical key, the physical key unit and physical key determining at least one cryptographic key for the security processor unit**" in the amended independent claim 1 of the current application are **not**

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supported by the U.S. Provisional application (60/428,091). Therefore, the examiner will not grant the priority date as claimed. The effective filing date of the current application is the filing date of the current application, which is 20 November 2003.

Claim Interpretation

5. As explained in the instant specification, "The unencrypted media signal 206 is passed to the control processor unit 108 that produces an information signal 110. The information signal 110 corresponds to **the processed** unencrypted media signal 206. Processing includes collecting portions of the unencrypted media signal into delivery blocks of a predetermined size"(see Instant Specification, paragraph [0027] on page 6).

It appears to the examiner that according to Applicant's original disclosure, parsing the unencrypted media signal 206 into blocks of a predetermined size and processing includes collecting portions of the unencrypted media signal into blocks of a predetermined size are the same procedure. If they are not the same, then Applicant's original disclosure never discloses control processor unit 108 parsing the unencrypted medial signal into blocks of information of a predetermined size as recited in the amended claim 1, instead, it only discloses control processor unit 108 processes unencrypted media signal into delivery blocks of a predetermined size. Therefore, it is reasonable to interpret control processor unit parsing the unencrypted media signal into blocks of information of a predetermined size as control processor unit processing includes collecting portions of the unencrypted media signal into blocks of information of a predetermined size.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benaloh (U.S. Patent No. 6,886,098) in view of "In-flight Entertainment Whitepaper" (Hereinafter Whitepaper).

As per **claim 1**, Benaloh discloses a mobile communication system having an information content delivery system for delivering information to users aboard a mobile platform, a terminal data loading device semi-permanently installed on the mobile platform ("...Specifically, such content players are typically installed, semi-permanently, in commercial airliners so that airline passengers can enjoy in-flight movies" – e.g. col. 5, lines 12-14. Please note content player corresponds to Applicant's terminal data loading device), comprising:

a media unit ("DVD drive 106 in fig. 1, col. 3, line 62 and col. 4, lines 1-2. Please note DVD drive corresponds to Applicant's media unit) operatively connectable to a transportable media element containing media data ("...These in-flight movies are provided on DVD disks" – e.g. col. 5, lines 14-15, "...CD or DVD" - e.g. col. 1, line 65, col. 4, lines 38-40 and col. 5, lines 22-24. Please note CD or DVD corresponds to Applicant's transportable media element), a predetermined portion of the media data being encrypted ("...For example, a DVD might carry...an encrypted movie" - e.g. col. 12, lines 34-36 and "Encrypt each partition with its unique key" – step 1208 in fig. 12), the media unit being capable of reading the media data from the media element and outputting a media signal (e.g. col. 3, line 67 – col. 4, line 8 and step 1216 in fig. 12. Please note it is common knowledge in art a DVD drive 106 is capable of read media data from a DVD);

a security processor unit receiving an encrypted media signal from the media unit ("Fig. 12 is a flow diagram of steps in a method in accordance with the described embodiment..." – e.g. col. 11, lines 33-36, "Step 1216 then provides the encrypted content ...to each content player" - e.g. col. 12, lines 19-21 and "Receive encrypted content package" – e.g. step 1300 in fig. 13) and outputting an unencrypted media signal based on one or more predetermined cryptographic keys utilizing a predetermined cryptographic algorithm ("Fig. 13 is a flow diagram that describes steps in a method for receiving and playing encrypted content in accordance with the described embodiment.." – e.g. col. 12, lines 40-46, "Decrypt each partition with its associated key" – e.g. step 1308 in fig. 13 and col. 12, line 47 – col. 13, line 9)

a physical key unit for receiving a physical key, the physical key unit and physical key determining at least one cryptographic key for the security processor unit ("...the encryption

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key collection resides on a smart card or the like. In other embodiments...a DVD might carry both an encrypted movie as well as an encrypted key collection for the content player.

Additionally, in the in-flight entertainment example given above, We see how it is possible for the encrypted content and multiple differently encrypted key collections to be delivered together” – e.g. col. 12, lines 32-39. Please note smart card or the like or DVD corresponds to Applicant’s physical key. Inherently, there must a smart card reader or the like existing as a physical key unit in the device/player to receive smart card or the like. Further, a DVD driver 106 in fig. 1 corresponds to Applicant’s physical key unit in the case the cryptographic keys are resided on DVD);

a control processor unit (“CPU 104” in fig. 1 and col. 3, lines 58-59) for receiving the media signal from the security processor unit and parsing the media signal into blocks of information of a predetermined size e.g. col. 4, lines 36-58 and “play unencrypted partitions” in step 1310 on fig. 13. Please note in col. 4, lines 36-58, Benaloh discloses various types of programs or steps described in the reference is in conjunction with a microprocessor or other data processor and they are executed by the CPU of the system. Please further note playing the decrypted partitions is a step of processing includes collecting portions of the unencrypted media signal into blocks of a predetermined size/parsing the unencrypted media signal into blocks of a predetermined size and decrypted partitions correspond to Applicant’s portions of the unencrypted media signal into blocks of a predetermined size).

Benoaloh does not expressly disclose a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform.

In the same field of endeavor of in-flight entertainment, Whitepaper discloses a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform ("Use of wired/wireless protocols for Data Distribution System..." - e.g. pages 6 and 9)

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Whitepaper's a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform into Benaloh's device motivated by "providing a wired network connection between the connected systems based on IEEE 802.3 Ethernet, supporting the IEEE 802.1D Spanning Tree Protocol....provides extremely high bandwidth and a more efficient use of system resources between Ethernet Switch Units for the purpose of fault tolerance" (e.g. page 6 of Whitepaper)

10. Claims 1-5, 8, 11-12, 16-17 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benaloh (U.S. Patent No. 6,886,098) in view of Holst et al. (U.S. Patent No. 6,671,589)

As per **claim 1**, Benaloh discloses a mobile communication system having an information content delivery system for delivering information to users aboard a mobile platform, a terminal data loading device semi-permanently installed on the mobile platform ("...Specifically, such content players are typically installed, semi-permanently, in commercial airliners so that airline

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passengers can enjoy in-flight movies” – e.g. col. 5, lines 12-14. Please note content player corresponds to Applicant’s terminal data loading device), comprising:

a media unit (“DVD drive 106 in fig. 1, col. 3, line 62 and col. 4, lines 1-2. Please note DVD drive corresponds to Applicant’s media unit) operatively connectable to a transportable media element containing media data (“...These in-flight movies are provided on DVD disks” – e.g. col. 5, lines 14-15, “...CD or DVD” - e.g. col. 1, line 65, col. 4, lines 38-40 and col. 5, lines 22-24. Please note CD or DVD corresponds to Applicant’s transportable media element), a predetermined portion of the media data being encrypted (“...For example, a DVD might carry...an encrypted movie” - e.g. col. 12, lines 34-36 and “Encrypt each partition with its unique key” – step 1208 in fig. 12), the media unit being capable of reading the media data from the media element and outputting a media signal (e.g. col. 3, line 67 – col. 4, line 8 and step 1216 in fig. 12. Please note it is common knowledge in art a DVD drive 106 is capable of read media data from a DVD);

a security processor unit receiving an encrypted media signal from the media unit (“Fig. 12 is a flow diagram of steps in a method in accordance with the described embodiment...” – e.g. col. 11, lines 33-36 , “Step 1216 then provides the encrypted content ...to each content player” - e.g. col. 12, lines 19-21 and “Receive encrypted content package” – e.g. step 1300 in fig. 13) and outputting an unencrypted media signal based on one or more predetermined cryptographic keys utilizing a predetermined cryptographic algorithm (“Fig. 13 is a flow diagram that describes steps in a method for receiving and playing encrypted content in accordance with the described embodiment..” – e.g. col. 12, lines 40-46, “Decrypt each partition with its associated key” – e.g. step 1308 in fig. 13 and col. 12, line 47 – col. 13, line 9)

a physical key unit for receiving a physical key, the physical key unit and physical key determining at least one cryptographic key for the security processor unit (“...the encryption key collection resides on a smart card or the like. In other embodiments...a DVD might carry both an encrypted movie as well as an encrypted key collection for the content player. Additionally, in the in-flight entertainment example given above, we see how it is possible for the encrypted content and multiple differently encrypted key collections to be delivered together” – e.g. col. 12, lines 32-39. Please note smart card or the like or DVD corresponds to Applicant’s physical key. Inherently, there must be a smart card reader or the like existing as a physical key unit in the device/player to receive smart card or the like. Further, a DVD driver 106 in fig. 1 corresponds to Applicant’s physical key unit in the case the cryptographic keys are resided on DVD);

a control processor unit (“CPU 104” in fig. 1 and col. 3, lines 58-59) for receiving the media signal from the security processor unit and parsing the media signal into blocks of information of a predetermined size e.g. col. 4, lines 36-58 and “play unencrypted partitions” in step 1310 on fig. 13. Please note in col. 4, lines 36-58, Benaloh discloses various types of programs or steps described in the reference is in conjunction with a microprocessor or other data processor and they are executed by the CPU of the system. Please further note playing the decrypted partitions is a step of processing includes collecting portions of the unencrypted media signal into blocks of a predetermined size/parsing the unencrypted media signal into blocks of a predetermined size and decrypted partitions correspond to

Applicant's portions of the unencrypted media signal into blocks of a predetermined size).

Benoaloh does not expressly disclose a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform.

However, Holst et al. discloses a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform (e.g. fig. 1, col. 2, lines 19-43 and col. 3, line 35 – col. 4, line 33)

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Holst et al.'s a wireline communication unit for receiving the blocks of information and outputting a wireline signal to a network on the mobile platform into Benaloh's device motivated by "bridges the gap between interfacing with existing avionics systems for data uploading and data acquisition without drastically modifying the way airplanes are currently built" and "to remotely initiating ARINC 615 uploads and downloads to and from all of ARINC 615 compatible Avionics...without manual on-aircraft intervention via the apparatus 400 functioning as an avionics gateway...software uploading to airborne computers is a marked improvement" (Holst et al. col. 2, lines 19-23 and col. 4, lines 33-43).

As per **claim 2**, Benaloh – Holst et al. discloses a device as applied above in claim 1. Benaloh – Holst et al. further discloses wherein the wireline communication unit can receive a wireline signal from a network on a mobile platform and output an information signal (please see above rationale in rejection claim 1), wherein the control processor unit can receive an information signal from the wireline communication unit and output a media signal (e.g. Holst et

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al., col. 3, line 65 – col. 4, line 63 and please see above rationale in rejecting claim 1), and wherein the media unit can receive a media signal from the control processor unit and write the media signal to a transportable media element, the media unit being operatively connectable to the transportable media element (please see above rationale in rejecting claim 1).

As per **claim 3**, Benaloh – Holst et al. discloses a device as applied above in claim 1. Holst et al. further discloses a wireless communication unit for receiving an information signal from the control processor unit and sending a wireless signal to a receiving wireless communication unit in a wireless network, the receiving wireless communication unit outputting an information signal to the control processor unit (e.g. col. 2, line 39-42, col. 3, lines 11-15, col. 3, lines 50-61, fig. 4 and claim 1).

As per **claim 4**, Benaloh – Holst et al. discloses a device as applied above in claim 1. Benaloh further discloses wherein the media element is a Digital Versatile Disk (DVD) (“...These in-flight movies are provided on DVD disks” – e.g. col. 5, lines 14-15) and the media unit is a DVD drive (“DVD drive 106 in fig. 1).

As per **claim 5**, Benaloh – Holst et al. discloses a device as applied above in claim 1. Benaloh further discloses wherein the media element is a compact Disc (CD) (“...CD or DVD” - e.g. col. 1, line 65) and media unit is a CD drive (“DVD drive 106 in fig. 1).

As per **claim 8**, Benaloh – Holst et al. discloses a device as applied above in claim 1. Benaloh further discloses wherein the media element can be safely used on the mobile platform without requiring a mobile platform precertification of the media element against harmful interactions with the mobile platform (e.g. col. 8, lines 42-47 and col. 5, line 14 – col. 6, line 20).

As per **claim 11**, Benaloh - Holst et al. disclose a device as applied above in claim 1. Benaloh further discloses wherein the predetermined cryptographic algorithm is a symmetric key algorithm (e.g. col. 6, line 34).

As per **claim 12**, Benaloh – Holst et al. disclose a device as applied above in claim 1. Benaloh further discloses wherein the predetermined cryptographic algorithm is an asymmetric key algorithm and the physical key unit determines at least one cryptographic key pair comprising a public and private key (e.g. col. 6, line 44 – col. 7, line 30).

As per **claims 16 and 17**, they are rejected using the same rationale as rejecting claims 1-3.

As per **claim 22**, Benaloh – Holst et al. disclose a device as applied above in claim 1. Holst et al. further discloses wherein the wireline communication unit is an Ethernet device, a fiber channel device, a token ring device, or a universal-serial-bus device (“...connected to the aircraft LAN using wired ETHERNET...” - e.g. claim 1 and “loadable systems...establishing communication..through a network Ethernet hub or switch” – e.g. claim 10)

As per **claim 23**, Holst et al. further discloses wherein the wireline communication unit is a serial communication device that conforms to an accepted standard (e.g. col. 3, lines 50-61).

As per **claim 24**, Holst et al. further discloses wherein the wireline communication unit is a local area wireless connection that can only communicate within the network on the mobile platform (“...connected to the aircraft LAN using wired ETHERNET...or aircraft wireless spread spectrum connection configured as an wireless access point” - e.g. claim 1 and col. 3, lines 20-61)

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11. Claim 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benaloh (U.S. Patent No. 6,886,098) - Holst et al. (U.S. Patent No. 6,671,589) as applied to claim 1 above, and further in view of Stelling et al. (U.S. Patent No. 7, 213,268).

As per **claim 6**, Benaloh – Holst et al. disclose a device as applied above in claim 1.

Benaloh- Holst et al. does not disclose wherein the media element is a solid-state memory stick and the media unit is a memory stick interface for reading and writing the memory stick.

However, Stelling et al. discloses wherein the media element is a solid-state memory stick and the media unit is a memory stick interface for reading and writing the memory stick (e.g. col. 4, lines 3-9).

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Stelling et al.'s the media element is a solid-state memory stick and the media unit is a memory stick interface for reading and writing the memory stick into Benaloh – Holst et al. motivated by "accommodates removable digital storage media" (e.g. Stelling et al. col. 4, lines 3-4)

As per **claim 13**, Benaloh – does not expressly disclose wherein the symmetric key algorithm is the digital encryption standard (DES), the triple-DES protocol, or the advanced encryption standard (AES).

However, Stelling et al. discloses in col. 4, lines 22-27 of this well known feature wherein the symmetric key algorithm is the digital encryption standard (DES), the triple-DES protocol, or the advanced encryption standard (AES).

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate Stelling et al.'s well known feature wherein the symmetric key algorithm is the digital encryption standard (DES), the triple-DES protocol, or the advanced encryption standard (AES) with Benaloh since "Those of skill in the art appreciate that the encryption algorithms referred to may be implemented through any one of a number of commonly used algorithms, such as DES" (Stelling et al., e.g. col. 4, lines 22-27)

12. Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benaloh (U.S. Patent No. 6,886,098) - Holst et al. (U.S. Patent No. 6,671,589) as applied to claim 1 above, and further in view of Chan (U.S. Patent No. 6,775,087).

As per **claim 7**, Benaloh – Holst et al. does not expressly disclose wherein the media element is an Advanced Intelligent Tape (AIT) and the media unit is an AIT drive.

Chan discloses wherein the media element is an Advanced Intelligent Tape (AIT) and the media unit is an AIT drive (e.g. col. 3, lines 31-57).

At the time of the time invention, it would have been obvious for a person with ordinary skill in the art to incorporate Chan's AIT and AIT drive into Benaloh – Holst et al. device.

The motivation of doing so would have been "access data at any one of up to 256 partitions in the magnetic tape without rewinding to the beginning of the magnetic tape and reading the system log to find the desired file", as taught by Chan (col. 3, lines 52-57)

13. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Benaloh (U.S. Patent No. 6,886,098) - Holst et al. (U.S. Patent No. 6,671,589) as applied to claim 1 above, and further in view of WO01/06787 A1 (Hereinafter as '787)

As per **claim 10**, Holst et al. further discloses data uploading of software and collection of S/W configuration information from the various loadable avionics and download data between subsystems and data load applications (e.g. abstract), in other words, the communication between the media unit/element and the loading system are bi-directional, which meets the limitation wherein the wireline communication unit can receive a wireline signal from a network on a mobile platform and output an information signal, wherein the control processor unit can receive the information signal from the wireline communication unit and output an unencrypted media signal and wherein the media unit can receive media signal from the security processor unit. Further, Benaloh discloses a DVD connected to a DVD driver and write the encrypted media signal to the DVD (e.g. col. 12, lines 32-39), which meets the limitation write the encrypted media signal to a transportable media element, the media unit being operatively connectable to the transport media element.

Benaloh – Holst et al. does not expressly disclose the security processor unit can receive the unencrypted media signal and output an encrypted media signal.

However, this well known feature of the security processor unit can receive the unencrypted media signal and output an encrypted media signal is disclosed in '787, "The decrypted video data is then immediately input into a second encryption device which re-encrypts the video data...The re-encrypted video data is then transferred to...".

It would have been obvious to a person with ordinary skill in the art at the time of the invention to incorporate '787's well known feature of the security processor unit can receive the unencrypted media signal and output an encrypted media signal into Benaloh – Holst et al motivated to enhance data distribution security.

Response to Arguments

14. Applicant's arguments filed 29 August 2008 have been respectfully and fully considered but they are not persuasive.

15. The Applicant's arguments are summarized as below:

- The Applicant argues on page 14 of the remark that Neither Benaloh alone, nor a combination of Benaloh and the Whitepaper or in a combination of Benaloh and Holst, teaches or suggests a control processor unit parsing the decrypted media signal into blocks of information of a predetermined size, as recited in claim 1, the examiner respectfully disagrees.

First, the examiner respectfully invites the Applicant to read "Claim Interpretation" set forth above in the current Office Action. Second, the examiner respectfully points out that to an ordinary skill in the art at the time of the invention, a CPU is the brain of a computing system. More specifically, Benaloh teaches in col. 4, lines 36-58, **various types of programs or steps described in the reference is in conjunction with a microprocessor or other data processor and they are executed by the CPU of the system.** Third, processing includes collecting portions of the unencrypted media signal into blocks of a predetermined size/parsing the decrypted media signal into blocks of information of a predetermined size is one of the steps described in the col. 12, line 47 – col. 13, line 9, Benaloh reference ("Step 1300 receives encrypted content...The encrypted content contains different encrypted versions of the original digital content. In the examples given above, these different versions are embodied in multiple partitions

or clips that are separately marked and encrypted with different keys....Step 1310 then plays the decrypted partitions"). Please note playing the decrypted partitions is a step of processing includes collecting portions of the unencrypted media signal into blocks of a predetermined size/ parsing the unencrypted media signal into blocks of a predetermined size and decrypted partitions correspond to Applicant's portions of the unencrypted media signal into blocks of a predetermined size.

Further, Applicant's argues "The CPU of the presentation processes the unencrypted media signal after decryption, by parsing it into blocks of predetermined size to realize signal transmission advantages neither taught nor suggested in Benaloh. These include enabling the use of block cipher protocols and limiting the bandwidth of transmissions in the presence of other network device" on page 14.

In response, the examiner respectfully points out these advantages as described by the Applicant is not recited in the claim.

The further similar claim 16, dependent claims 2-8, 10-13, 17 and 22-24 are traversed for reasons similar to claim 1. In regards to such arguments, see the response directed to claim 1.

- The Applicant argues the suggested combination of Benaloh and Holst does not teach or suggest off-loading data from the mobile platform by writing data to the transportable media element as recited in claim 2, the examiner respectfully disagrees.

In response, such claim limitation of “off-loading data from the mobile platform by writing data to the transportable media element” is not being recited in the claim. Further, Applicant’s arguments do not specifically pointing out how the language of the claims patentably distinguishes them from the **combined references**. In regard to such allegations, see the corresponding rejections set forth above. Furthermore, the applicant is respectfully reminded that One cannot show nonobviousness by attacking references individually where the rejections are based on combination of references. See *In re Keller*, 642 F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

- The Applicant argues on pages 16-17 that Benaloh in view of Holst and further in view of Peterson fails to teach or suggest a combination on-loading and off-loading system that when off-loading, receives an information signal that originates from a network on a mobile platform media, converts the signal to an encrypted media signal, and writes the encrypted media signal to a transportable media element as recited in claim 10, the examiner respectfully disagrees.

In response, the examiner respectfully points out on-loading and off-loading system that when off-loading, receives an information signal that originates from a network on a mobile platform media, converts the signal to an encrypted media signal, and writes the encrypted media signal to a transportable media element is not being recited in the claim. Further, argument the media signal originate at a mobile platform network is not accurate. Please look at claim 10, a wireline signal received from a network on a mobile platform and output an information signal, wherein the control

processor unit can receive the information signal from the wireline communication unit and output an unencrypted media signal. It appears to the examiner that the Applicant is not clear where this media signal originated. According to the claim, the media signal generated at the control processor unit. Further, Applicant's arguments do not specifically pointing out how the language of the claims patentably distinguishes them from the combined references. In regard to such allegations, see the corresponding rejections set forth above. Furthermore, the applicant is respectfully reminded that One cannot show nonobviousness by **attacking references individually** where the rejections are based on combination of references. See *In re Keller*, 642 F. 2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F. 2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to APRIL Y. SHAN whose telephone number is (571)270-1014. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/April Y Shan/
Examiner, Art Unit 2435

/Kimyen Vu/

Supervisory Patent Examiner, Art Unit 2435